

**FILE COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **BENVENUTI, Nicola; MATTSON, James, R.; PICK, Leroy, A.;  
PHELPS, Peter, W.**  
Serial No.: **09/961,297**  
Filed: **September 25, 2001**  
Title: **TRANSPARENT ERROR COUNT TRANSFER METHOD AND  
APPARATUS**  
Group: **2633**  
Examiner:  
Attorney Ref.: **PAT 2689-2 US**

August 15, 2005

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia  
22314  
U.S.A.

**Attention: Mr. Tim Williams**  
**Office of Initial Patent Examination**

Dear Sir:

In a previous submission to the USPTO, a power of attorney was filed appointing the practitioners of Customer Number 26123 and revoking all previous agents and attorneys. This action has not been completed. Please update the USPTO records to:

1. appoint the practitioners of Customer Number 26123 as agents on the above referenced file;
2. direct all correspondence on the above referenced file to Customer Number 26123; and
3. revoke all previous attorneys and agents of record.

Please provide us with confirmation that the USPTO records have been updated to provide us with access to these files and to ensure that correspondence is being sent to our offices.

As many of our files have not properly been assigned to our customer number, we have recently experienced problematic issues of abandonment, correspondence from United States Patent and Trademark Office on files on which we should be noted as agents of record being mailed to firms who are not agents of record, revocation of Power of Attorney on applications on which we should not have been revoked, and appointments of agents to files which are not our responsibility.

Respectfully, the undersigned points out that these issues appear to have resulted through some inaction or error of the USPTO. Moreover, these issues have resulted in significant added costs to our clients and deleterious effects on our client's prospective patent rights.

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If you have any questions or concerns with regard to this matter, please do not hesitate to contact me.

Respectfully submitted,  
Nicola BENNENUTI et al

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